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*Attorneys for Nominal Defendant NVIDIA Corporation*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re NVIDIA CORP. DERIVATIVE  
LITIGATION

Master File No. C-06-06110-SBA (JCS)

STIPULATION AND ORDER  
REGARDING BRIEFING SCHEDULE

### This Document Relates To:

## ALL ACTIONS.

1           This Stipulation is entered into by and among co-lead plaintiffs, the Nominal Defendant  
 2 NVIDIA Corp. (“NVIDIA”), and the individuals named as defendants in this action, through their  
 3 attorneys of record.

4           WHEREAS, on May 22, 2008 NVIDIA and plaintiffs in all three derivative options  
 5 actions (Delaware Chancery, Santa Clara Superior, and Northern District of California) engaged  
 6 in a global mediation session before Judge Infante;

7           WHEREAS, at the mediation, the parties made significant progress towards resolution of  
 8 the underlying derivative matters, and continue to engage in further settlement discussions;

9           WHEREAS, the deadlines set forth in the parties' prior Stipulation and Court Order  
 10 required plaintiffs to re-submit to the Court their Second Amended Complaint on or before June  
 11 2, 2008, defendants to file their motions to dismiss on or before June 23, 2008, plaintiffs to file  
 12 their opposition briefs on or before August 4, 2008, and defendants to file their reply briefs or  
 13 before August 25, 2008;

14           WHEREAS, in light of the continuing settlement discussions, and in the interests of  
 15 conserving party and Court resources, the parties mutually agree and seek the Court's approval to  
 16 postpone any further activity in this case until June 16;

17           WHEREFORE, IT IS STIPULATED AND AGREED that:

- 18           1. If the case does not settle on or before June 16, 2008, plaintiffs will re-submit to  
                  the Court their Second Amended Complaint by June 16, 2008.
- 19           2. The parties will meet and confer regarding the Court's April 23, 2008 order  
                  denying plaintiffs' Administrative Motion to Seal Portions of the Second  
                  Amended Complaint and, if necessary, plaintiffs will file a renewed administrative  
                  motion on or before June 16, 2008.
- 20           3. Defendants will file their motions to dismiss on or before July 11, 2008.
- 21           4. Plaintiffs will file their opposition briefs on or before August 11, 2008.
- 22           5. Defendants will file their reply briefs or before August 26, 2008.

1           6. The hearing on defendants' motion to dismiss will remain as currently scheduled  
2           for September 9, 2008.

3           DATED: June 2, 2008

Respectfully Submitted,

4           ORRICK, HERRINGTON & SUTCLIFFE LLP  
5           MICHAEL D. TORPEY  
6           JAMES N. KRAMER  
7           RICHARD GALLAGHER  
8           JAMES THOMPSON

9  
10           s/ James N. Kramer  
11           \_\_\_\_\_  
12           JAMES N. KRAMER

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18           Attorneys for Nominal Defendant NVIDIA  
19           Corporation

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*I, James N. Kramer, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Hearing Date for Plaintiffs' Motion. In compliance with General Order 45, X.B., I hereby attest that Travis E. Downs III has concurred in this filing.*

DATED: June 2, 2008

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s/ Travis E. Downs III  
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### Attorneys for Co-Lead Plaintiffs

1           *I, James N. Kramer, am the ECF user whose ID and password are being used to file this*  
2           *Stipulation and [Proposed] Order Regarding Hearing Date for Plaintiffs' Motion. In compliance*  
2           *with General Order 45, X.B., I hereby attest that Stephanie Byerly has concurred in this filing.*

3           DATED: June 2, 2008

HOWREY LLP  
LEIGH A. KIRMSSE  
STEPHANIE BYERLY

6           

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s/ Stephanie Byerly  
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10           Attorneys for Defendant Christine B. Hoberg

12           *I, James N. Kramer, am the ECF user whose ID and password are being used to file this*  
13           *Stipulation and [Proposed] Order Regarding Hearing Date for Plaintiffs' Motion. In compliance*  
13           *with General Order 45, X.B., I hereby attest that Kevin Muck has concurred in this filing.*

14           Dated: June 2, 2008

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19           By: s/ Kevin P. Muck

21           Attorneys for Chris A. Malachowsky, Jeffrey D.  
21           Fisher, Mary M. Dotz, and Daniel F. Vivoli

1 \* \* \*  
2 **ORDER**  
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4 Based on the stipulation of the signed parties, and good cause appearing, IT IS HEREBY  
5 ORDERED that:

6 1. If the case does not settle on or before June 16, 2008, plaintiffs will re-  
7 submit to the Court their Second Amended Complaint by June 16, 2008.

8 2. The parties will meet and confer regarding the Court's April 23, 2008 order  
9 denying plaintiffs' Administrative Motion to Seal Portions of the Second Amended Complaint  
and, if necessary, plaintiffs will file a renewed administrative motion on or before June 16, 2008.

10 3. Defendants will file their motions to dismiss on or before July 11, 2008.

11 4. Plaintiffs will file their opposition briefs on or before August 11, 2008.

12 5. Defendants will file their reply briefs on or before August 26, 2008.

13 6. The hearing on defendants' motion to dismiss will remain as currently  
14 scheduled for September 9, 2008.

15  
16 IT IS SO ORDERED.  
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18 DATED: 6/3/08  
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20   
21 THE HONORABLE  
22 SAUNDRA BROWN ARMSTRONG  
23 UNITED STATES DISTRICT JUDGE  
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